

## PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:  
JOHN P. MUSONE  
SIEMENS CORPORATION- INTELLECTUAL PROPERTY  
DEPT.  
170 WOOD AVENUE SOUTH  
ISELIN, NJ 08830

PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT  
OR THE DECLARATION

(PCT Rule 44.1)

Date of Mailing  
(day/month/year) 06 JAN 2006

Applicant's or agent's file reference  
2003P10350WO

FOR FURTHER ACTION: See paragraphs 1 and 4 below

International application No.  
PCT/US04/24076

International filing date  
(day/month/year)  
27 July 2004 (27.07.2004)

Applicant  
SIEMENS AKTIENGESELLSCHAFT

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

**Where?** Directly to the International Bureau of WIPO, 34, chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70.

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

## 4. Reminders

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90 bis.1 and 90 bis.3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US  
Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Facsimile No. (571) 273-3201

Authorized officer

John Weiss *V. Weiss*  
Telephone No. 703-308-1113

Form PCT/ISA/220 (April 2002)

(See notes on accompanying sheet)

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 2003P10350WO	<b>FOR FURTHER ACTION</b> <small>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</small>	
International application No. PCT/US04/24076	International filing date (day/month/year) 27 July 2004 (27.07.2004)	(Earliest) Priority Date (day/month/year) 28 July 2003 (28.07.2003)
Applicant SIEMENS AKTIENGESELLSCHAFT		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the Report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)

3. ☐ Unity of invention is lacking (See Box No. III)

4. With regard to the title,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the abstract,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 1



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US04/24076

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : G06F 17/60

US CL : 705/412, 7, 8, 9, 10, 11

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 705/412, 7, 8, 9, 10, 11

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/0007388 A1 (BANNAI et al) 17 January 2002 See entire document	1-36
Y	US 2003/0033165 A1 (INOUE et al) 13 February 2003 See entire document	1-36
Y	US 2002/0040356 A1 (GLUCK et al) 04 April 2002 See entire document	1-36
Y	US 6,535,859 B1 (YABLONOWSKI et al) 18 March 2003 See entire document	1-36

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

03 January 2005 (03.01.2005)

Date of mailing of the international search report

06 JAN 2006

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

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Authorized officer

John Weiss 

Telephone No. 703-308-1113

## PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:  
JOHN P. MUSONE  
SIEMENS CORPORATION- INTELLECTUAL PROPERTY  
DEPT.  
170 WOOD AVENUE SOUTH  
ISELIN, NJ 08830

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference		Date of mailing (day/month/year)
2003P10350WO		06 JAN 2006
FOR FURTHER ACTION See paragraph 2 below		
International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/US04/24076	27 July 2004 (27.07.2004)	28 July 2003 (28.07.2003)
International Patent Classification (IPC) or both national classification and IPC		
IPC(7): G06F 17/60 and US Cl.: 705/412, 7, 8, 9, 10, 11		
Applicant		
SIEMENS AKTIENGESELLSCHAFT		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

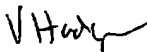
## 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US	Authorized officer
Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	John Weiss 
Facsimile No. (703) 305-3230	Telephone No. 703-308-1113

Form PCT/ISA/237 (cover sheet) (January 2004)

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/24076

## Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

## a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

## b. format of material

☐ in written format

☐ in computer readable form

## c. time of filing/furnishing

☐ contained in international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

## 4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITYInternational application No.  
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Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)

Claims 1-36 YES  
Claims NONE NO

Inventive step (IS)

Claims NONE YES  
Claims 1-36 NO

Industrial applicability (IA)

Claims 1-36 YES  
Claims 1-36 NO

## 2. Citations and explanations:

Please See Continuation Sheet

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US04/24076

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

**V. 2. Citations and Explanations.**

Claims 1-6, 8-19, 22 and 29-36 lack an inventive step under PCT Article 33(3) as being obvious over Bannai et al (Bannai).

As per claims 1 and 25, Bannai teaches energy service method and system, wherein energy-saving management is realized by introducing energy-saving measures to a business facility; said energy-saving management is characterized in that the investment cost for energy-saving measure is derived from contribution of funds by energy service enterprises and energy conservation effect, i.e., curtailment of the energy costs. Specifically, the method comprises applying energy-saving measures to the business facilities at the cost of an energy service enterprise, measuring the energy consumption after taking energy-saving measures, and calculating the amount of curtailment of the energy costs by comparing the thus measured value with the energy consumption before taking the energy-saving measures previously stored in a database, and allowing the energy service enterprise to receive at least a part of the amount of curtailment [0010].

Bannai does not specifically teach a method handbook for predefining a standardized procedure for consideration of energy flows. However, the specification does not provide any indication of the advantages of providing said handbook over the prior art. Without such indication, it appears that providing said handbook for conducting said energy-saving measures at the business facility would be an obvious variation of said energy-saving measures.

As per claim 2, said method, wherein information, regarding the annual project energy-saving effect and the expenses for the energy service enterprise, is considered before taking the energy-saving measures [0125].

As per claims 3-6, 8-17, 19, 22, 29-30 and 26, said method, wherein said steps of implementing said energy-saving measures includes surveillance of the energy-saving equipment, verification of the energy-saving effects, wherein the quantity of energy curtailment is calculated by comparing the same measured with past data previously stored in the database, thereby obviously indicating standardizing said steps [0047].

As per claims 31-32, said method and system, including a monitoring network (control LAN), a monitoring unit, and a data collecting/transmitting unit including a processing unit (CPU) and a storage unit (HDD) [0160].

As per claims 33-36, said method, wherein said energy-saving measures include comparing the measured data with the calculated past estimated data [0011], thereby obviously indicating employing knowledge database.

Claims 7, 18, 21, 23, 24, 27 and 28 lack an inventive step under PCT Article 33(3) as being obvious over Bannai in view of Gluck et al. (Gluck).

As per claims 7, 18, 21, 27 and 28 Bannai teaches all the limitations of claims 7, 21, 27 and 28, except specifically teaching that said energy-saving measures include the use of energy-relevant questions.

Gluck teaches automated software-based energy and demand aggregation consulting method and system, including a series of questions which are posed to a user singly or in groups serially or via a form or forms to fill in, obtains specifications and information on an existing or planned, residential, commercial or industrial site or structure's energy needs, usages, costs, and other items, wherein said method can be implemented via the Internet [0026].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Bannai to

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**International application No.  
PCT/US04/24076**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

include that said energy-saving measures include the use of energy-relevant questions, as disclosed in Gluck, because it would advantageously ensure collecting the most energy-relevant information from various sources.

As per claims 23-24, Bannai teaches said method and system, including a monitoring network (control LAN), a monitoring unit, and a data collecting/transmitting unit including a processing unit (CPU) and a storage unit (HDD) [0160].